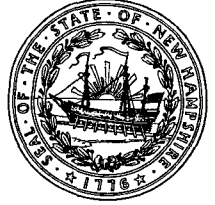




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
WET 2005-36**

October 12, 2005

Richard Belair  
136 School Street  
Tilton, NH 03276

RE: DES Wetlands File #2005-00663 589 Laconia Rd, Tilton

Dear Mr. Belair:

On April 8, 2005 the Department of Environmental Services ("DES") received a complaint for the above referenced property, more specifically referenced on Town of Tilton Tax Map R-9, Lot 29 (the "Property"). On October 29, 2004 Departmental personnel inspected the Property to determine compliance with RSA 482-A, RSA 483-B, and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. A 106 ft permanent boardwalk was installed in Wetlands jurisdiction without a permit for the access to a proposed 4 ft x 24 ft seasonal pier.

In response, you are requested to take the following actions:

2. Within 30 days, completely remove boardwalk and supports from the wetland using hand tools only.
3. Within 45 days submit photos documenting compliance with action #2.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Darlene Forst, Shoreland Program Supervisor  
Wetlands Bureau  
Department of Environmental Services  
6 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,



D. Forst  
Shoreland Program Supervisor  
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8433 9198

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit ✓  
Tilton Conservation Commission  
Tilton Board of Selectmen  
USACOE